

## Course Outline

<b>COURSE:</b>	<b>LAWS 4607A – Immigration and Refugee Law</b>	
<b>TERM:</b>	<b>Winter 2008/09</b>	
<b>PREREQUISITES:</b>	<b>LAWS 2005</b>	
<b>CLASS:</b>	<b>Day &amp; Time:</b>	<b>Friday – 0835-1125</b>
	<b>Room:</b>	<b>505 SA (Southam Hall)</b>
<b>INSTRUCTORS: (CONTRACT)</b>	<b>Mr. Shelley Levine</b>	<b>Ms. Jacqueline Lewis</b>
<b>CONTACT:</b>	<b>Telephone:</b> 416-364-2345	<b>416-924-2227</b>
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	<b>Office:</b> C476 LA – Contract Instructors' Office	
	<b>Office Hrs:</b> Fridays – TBA	

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“Students with documented disabilities requiring academic accommodations in this course must register with the Paul Menton Centre for Students with Disabilities (PMC) for a formal evaluation of disability-related needs. Documented disabilities include physical, mental, and learning disabilities, mental disorders, hearing or vision disabilities, epilepsy, drug and alcohol dependencies, environmental sensitivities, as well as other conditions. Registered PMC students are required to contact the PMC at 613-520-6608, early each term to ensure that your Instructor receives your Letter of Accommodation no later than two weeks before the first assignment is due or the first in-class test/midterm requiring accommodations. If you require accommodations for your formally scheduled exam(s) in this course, please submit your request for accommodations to PMC by March 6, 2009 for April exams.” Also available at [http://www.carleton.ca/pmc/faculty/acom\\_statement.html](http://www.carleton.ca/pmc/faculty/acom_statement.html) . For Religious and Pregnancy accommodations, please contact Equity Services, 613-520-2600 x. 5622 or their website: [www.carleton.ca/equity](http://www.carleton.ca/equity)

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**COURSE OBJECTIVE**

Students will examine Canadian Immigration and Refugee law and policy in relation to the political, philosophical, demographic and international context in which this area has developed. The categories and criteria for the admission to and exclusion from Canada of potential immigrants and the present Convention Refugee determination criteria and procedures will also be examined.

**COURSE DESCRIPTION**

Although a portion of each class will contain a lecture component, classes will follow a flexible seminar and discussion format. Advanced knowledge and understanding of the required reading is essential for effective contribution to class.

Problem-solving case studies in small groups will be used to facilitate an understanding of class material, for which advance preparation is necessary. Students will be encouraged to lead and participate in class discussion and will be graded according to their level of meaningful participation.

### **METHOD OF EVALUATION**

- 10 % - Class Participation
- 10 % - Research Proposal and Bibliography for Term Paper
- 30 % - Case study
- 50 % - Term Paper (4000-5000 words)

A list of suggested paper topics will be distributed in class on **January 30, 2009**. Research Proposal and Bibliography for term paper is due on **February 13, 2009**. The term paper shall be submitted to the instructor in person on **April 3, 2009 (final class) during class hours**. All class assignments **must be typewritten**. **Please note that all final term papers must attach either disc, CD or hand written notes, of all drafts of term paper**. Although group collaboration will be encouraged during the term, course papers and bibliographies must be prepared and produced individually.

**Note:** Late class assignments, including course papers, will be marked down **one half-letter grade for each day submitted after the due date**. Computer failure and heavy workload will not be acceptable excuses for late assignments. Essays must be submitted to the instructor personally unless alternative arrangements have been approved. Students must retain photocopies **and disc copies** of all class assignments and essays. **Students must govern themselves according to university regulations on plagiarism and other academic offences as well as departmental policies on written assignments.**

Participation will be evaluated on the basis of active engagement in discussion. Immigration Case Study presentations will take the form of small group presentations on one of the assigned cases accompanied by typewritten summaries of each student's work not to exceed two type written pages per student. Refugee Case Studies will follow a similar format and may include mock hearings if time permits.

### **COURSE MATERIALS AND TEXT**

Students require Lorne Waldman's, [Canadian Immigration and Refugee Law Practice, 2008 Edition](#) and [Supplementary Course Materials \(Course Pack\)](#) which are available at the University Bookstore.

#### *Internet References*

In addition to the above noted materials students may find the following references useful for class preparation and assignments.

#### Court Decisions

- Federal Court Decisions (1990-present): [http://www.fct-cf.gc.ca/index\\_e.html](http://www.fct-cf.gc.ca/index_e.html)
- Supreme Court Decisions (1985-present): <http://www.lexum.umontreal.ca/csc-scc/en/index.html>

#### Legislation

- Immigration and Refugee Protection Act: <http://lois.justice.gc.ca/en/i-2.5/text.html>

#### Government Sources

- Immigration and Refugee Board: [http://www.irb-cisr.gc.ca/en/INDEX\\_E.htm](http://www.irb-cisr.gc.ca/en/INDEX_E.htm)
- Citizenship and Immigration Canada <http://www.cic.gc.ca/english/index.asp>

#### Human Rights Sources

- Canadian Council for Refugees <http://www.ccrweb.ca/eng/engfront/frontpage.htm>
- Amnesty International Human Rights Library: <http://www.amnesty.org/ailib/>
- Human Rights Watch: <http://www.hrw.org/>
- United Nations High Commissioner for Refugees <http://www.unhcr.ch/>
- United States Department of State Reports (DOS): <http://www.state.gov/index.cfm>

**CLASS SCHEDULE**

January 9	Philosophical Underpinnings and International Migration of Immigrants
January 16	Overview of Legislation – Status, Exclusion and Removal, Applications for Landing, Visitors and Applications from within Canada
January 23	Immigrating to Canada - Basic Principles (Family Class Immigrants)
January 30	Immigrating to Canada - Basic Principles (Independent Class Immigrants) (Paper topics to be distributed)
February 06	Inadmissibility and security certificates (Immigration case studies distributed)
February 13	Immigration Case Studies (Research Proposal for term paper and Bibliography to be handed to instructor during class hours)
February 20	Winter Break, classes suspended
February 27	Convention Refugees – Introduction
March 06	Convention Refugees – Procedure/Definition
March 13	Convention Refugees – Definition
March 20	Convention Refugees – Exclusion (Refugee Case Studies Distributed)
March 27	Convention Refugee – Wrap Up/Case Studies
April 3	Complete Case Studies  (Final Papers to be handed to instructor during class hours)

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Materials relating to case studies will be handed out in class. **Assigned readings will be made available in class.**